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UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

COLMAR PROPERTIES,LLC AND
COLEMAN D. MOORE,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. C 05-0912 MMC

ORDER GRANTING

APPLICATION FOR PERMISSION
TO FILE ATTACHED SUPPLEMENTAL
MEMORANDUM

The government filed its motion to dismiss and for summary judgment on January 27, 2006. Since no response was filed, the Court vacated the hearing date scheduled for March 3, 2006. Since that date an Amended Complaint was filed and plaintiff Coleman D. Moore was dismissed as a plaintiff. The government seeks to file the attached supplemental memorandum to explain why the Amended Complaint should be dismissed.

KEVIN V. RYAN
United States Attorney

Dated: March 21, 2006

/s/ Jay R. Weill
JAY R. WEILL
Assistant United States Attorney
Chief, Tax Division

ORDER

Upon application of the United States, the government's Supplemental Memorandum ~~can~~ is deemed to be filed. Plaintiff shall file any opposition no later than March 31, 2006, and defendant may file a reply no later than April 7, 2006, at which time the Court will take the matter under submission.

Dated: March 22, 2006

UNITED STATES DISTRICT JUDGE